

REC'D
FEDERAL ELECTION
COMMISSION

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OFFICE OF GENERAL
COUNSEL

JACKSACK LAW OFFICES
401 W. Fullerton, Ste. 909
Chicago, IL 60614
(773) 569-5855
(773) 304-3101 (fax)
www.jacksacklawoffices.com

August 22, 2012

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 6620
Letter Dated August 8, 2012 from Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration

Dear Mr. Jordan:

Friends of Brian Woodworth received your letter and accompanying complaint, and we hereby respond, within the 15 day period from receipt. Brian Woodworth ("Candidate") is the Republican nominee for Congress in Illinois' 2nd Congressional District.

The July 27, 2012 letter of complaint from James Taylor, Sr. ("Complainant") charges that Friends of Brian Woodworth ("Committee") failed to report in-kind contributions stemming from petition signature gathering work of students who were allegedly compensated via college intern credits. The Complainant, a former Republican candidate for this office, is flatly mistaken. No students received college internship credits, or anything else of value, for their gathering of petition signatures on behalf of the Candidate. As such, we respectfully request dismissal of the complaint numbered MUR 6620.

It is well-settled that an individual may help a candidate by volunteering his or her personal services, and that these services are not considered a contribution so long as they are not paid by anyone. In fact, the United States Code specifically exempts such uncompensated volunteer work from the definition of campaign "contribution":

"(B) The term "contribution" does not include-

(i) the value of services provided without compensation by any individual who volunteers on behalf of a candidate or political committee;"

2 U.S.C. § 431 (8)(B)(i).

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The crux of the Complainant's charge is his belief that some college students at Olivet Nazarene University ("Olivet"), where the Candidate was an Associate Professor during the 2011-2012 academic year, received college internship credits for circulating the Candidate's nominating petitions. This charge is flatly incorrect.

In fact, no student at Olivet received college internship credit for circulating the Candidate's nominating petitions. To substantiate this fact, we have attached the Affidavit of Jim Knight, the Registrar at Olivet. Mr. Knight confirms, unequivocally, that no internship credit was given to any Olivet student for circulating the Candidate's nominating petitions.

As confirmed by the Candidate's Affidavit, which is also attached to this letter, all of the individuals who assisted the Candidate in gathering petitions signatures were unpaid volunteers. The fact that these individuals may have also been Olivet students is of no legal consequence here. Indeed, it is not surprising that Olivet students, including those interested enough in politics to join the student group "Capitol Hill Gang," would wish to volunteer for a professor they know.

The Complainant also alleges, without any basis, that the Candidate and fellow professors, Dr. Woody Webb and Dr. Dennis Crocker, advised their students they would be rewarded with internship credits for circulating Candidate's nominating petitions. Again, as demonstrated by Mr. Knight's Affidavit, no students received college intern credits for gathering signatures for Candidate's campaign. Further, though, Dr. Webb and Dr. Crocker hold administrative positions and were not political science teaching professors during the 2011-2012 academic year (See Knight Affidavit), and therefore would not have been able to award students "extra credit" for volunteer work on the Candidate's campaign.

The copies of email traffic submitted by the Complainant between the Complainant and Olivet's President, Dr. John Bowling, further confirms that any of the students working for the Candidate were assisting in a volunteer capacity only.

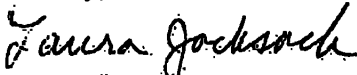
It appears that the Complainant bases his entire complaint on a student's quote from an article in an Olivet student newspaper – that students gathered signatures for Candidate, and that they could receive college intern credits for such efforts. However, as has been made clear by the Candidate, by Olivet's Registrar, and by Olivet's President, any students who circulated Candidate's nominating petitions did so on a volunteer basis, and no student received college internship credit, "extra credit", or anything else for gathering signatures. Therefore, no in-kind contribution was made by any student, or by Olivet, as the United States Code specifically exempts uncompensated volunteer work from the definition of campaign "contribution." 2 U.S.C. § 431 (8)(B)(i).

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Given all of the foregoing, we respectfully request that the FEC dismiss this complaint.

Sincerely,


Laura Jacksack

Laura Jacksack
Jacksack Law Offices
401 W. Fullerton, Ste. 909
Chicago, IL 60614
(773) 569-5855
(773) 304-3101 (fax)
(773) 472-0399 (cell)
ljacksack@jacksacklawoffices.com

Enclosures:

3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

999 E Street, NW

Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer

FAX (202) 219-3923

MUR # 6620

NAME OF COUNSEL: Laura Jacksack

FIRM: Tacksack Law Offices

ADDRESS: 401 W Fullerton Ste 901

Chicago, IL 60614

TELEPHONE- OFFICE (773) 569-5855

FAX (773) 364-3101

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8-20-2012

Date

Respondent/Agent -Signature

Candidate

Title(Treasurer/Candidate/Owner)

NAMED RESPONDENT:

Friends of

Brian Woodworth / Ryan Hayes

MAILING ADDRESS:

(Please Print)

630 Robert Drive

Bourbonnais IL 60914

TELEPHONE- HOME

BUSINESS (815) 214-9498

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation